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STATE OF ALABAMA )  
SHELBY COUNTY )

Before me, the undersigned Authority, in and for said County, in said State, personally appeared Samuel F. Bain, who is known to me, and who being by me first duly sworn, deposes and says on oath that he the said Affiant at one time owned certain real property in Shelby County, Alabama, described as the East half of the Southeast Quarter of the Northeast Quarter (E $\frac{1}{2}$  of SE $\frac{1}{4}$  of NE $\frac{1}{4}$ ) of Section 26, Township 19, South, Range 3, West; that around the year 1946 Affiant, while residing in the community where said property is located, discovered that the same was escaping taxes, and had apparently been abandoned by some prior owner thereof; that Affiant caused an escape tax assessment to be made in the Tax Assessor's office of Shelby County, Alabama, covering said property for the tax years 1942, 1943, 1944, 1945 and 1946, and in due course thereafter paid said taxes, and commencing with October 5th, 1946 claimed ownership of said property; that regularly thereafter Affiant returned said property for taxation and paid taxes thereon up until Affiant sold said property on August 14th 1959 to B.A. Chace and F.A. Chace; that while Affiant owned said property from 1946 to 1959 Affiant used said property as a part of his home premises, cutting wood therefrom and exercising general supervision and ownership of the same; that during said period of time no other person questioned Affiant's ownership and right to possession; that Affiant's ownership and possession of the said property was not questioned or contested by any persons whatever during said period of time; that Affiant sold said property to B.A. Chace and F.A. Chace on August 14th, 1959, who assumed the possession and ownership thereof under their deed, which is recorded in Deed Book 205, page 422 in the Probate Office of Shelby County, Alabama; that since said purchase said new owners, B.A. Chace and F.A. Chace have held possession of said property either in person or by tenant, mining coal therefrom, depositing spoil banks from coal mines thereon, cutting timber and mine props and generally exercising normal ownership rights over said property; that although Affiant has lived in the community where said property is located, for more than twenty years prior to this date, Affiant has never heard of any one who asserted any adverse claim or claimed right of possession adverse to the rights of affiant prior to August 14, 1959, and to the ownership and possession of said property by B.A. Chace and F.A. Chace from August 14, 1959 up to the present time.

Affiant further says that said property at one time belonged to William M. Bain, Affiant's Father; that during his lifetime, and around the year 1907 Affiant's said Father exchanged said tract above described to Acton Mining Company for another twenty acre tract, being the West half of the Northwest Quarter of the Northwest Quarter (W $\frac{1}{2}$  of NW $\frac{1}{4}$  of NW $\frac{1}{4}$ ) of Section 25, Township 19, Range 3, West; that Affiant is informed that the deed to said William M. Bain covering the last described property is recorded in Deed Book 40, page 120 in the Probate Office of Shelby County, Alabama. Affiant is also informed that one E.B. Jones was paying taxes on said parcel of land in 1915.

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Samuel F. Bain  
(Samuel F. Bains).

Sworn to and subscribed before me this the 31st of July, 1968.  
C. H. Williams NOTARY PUBLIC.